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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/527,832	09/19/2005	Jay M. Edelberg	955-39 PCT-US	9990

23869 7590 05/11/2010  
HOFFMANN & BARON, LLP  
6900 JERICO TURNPIKE  
SYOSSET, NY 11791

EXAMINER
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AUDET, MAURY A

ART UNIT	PAPER NUMBER
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1654

MAIL DATE	DELIVERY MODE
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05/11/2010

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Examiner-Initiated Interview Summary</b>	<b>Application No.</b> 10/527,832	<b>Applicant(s)</b> EDELBERG ET AL.	
	<b>Examiner</b> MAURY AUDET	<b>Art Unit</b> 1654	

  

**All Participants:**

(1) MAURY AUDET, Examiner.

(2) Jim Harrington, Applicant's Representative.

**Date of Interview:** 7 May 2010

**Type of Interview:**  
☒ Telephonic  
☐ Video Conference  
☐ Personal (Copy given to: ☐ Applicant    ☐ Applicant's representative)

Exhibit Shown or Demonstrated: ☐ Yes    ☒ No  
 If Yes, provide a brief description: .

**Status of Application:** Pending

(3) \_\_\_\_\_

(4) \_\_\_\_\_

**Time:** NA

  

**Part I.**

Rejection(s) discussed:  
*Of Record*

Claims discussed:  
*All*

Prior art documents discussed:  
*NA*

  

**Part II.**

**SUBSTANCE OF INTERVIEW DESCRIBING THE GENERAL NATURE OF WHAT WAS DISCUSSED:**

*The Examiner telephoned to indicate that sequences of 4 or > amino acids had been discovered in the application that did not have a SEQ ID NO: sequence identifier in the specification or that corresponded thereto in the sequence listing of record. Applicant was put on notice that a new sequence listing, statement, and amendment needed to be filed to address this.*

*The Examiner indicated the 35 USC 112 2<sup>nd</sup> rejection would be maintained as not claim 127 has not been amended to recite the suggested language that only trkB receptors were found to be bound, as opposed to any merely 'preferentially' and that any heart microvasculature can still be bound. The claim remains indefinite as only trkB receptors were found to be bound in the description. Appropriate amendment is still required, absent evidence to the contrary.*

*Additionally, a proposed claim amendment to or in line with the following was suggested:*

*127. (Currently Amended) A method for delivering a functional moiety to a trkB receptor in the heart microvasculature in a mammal, the method comprising administering a conjugate, said conjugate comprising a peptide comprising the amino acid sequence of SEQ ID NO: 4 and said functional moiety.*

  

**Part III.**

☐ It is not necessary for applicant to provide a separate record of the substance of the interview, since the interview directly resulted in the allowance of the application. The examiner will provide a written summary of the substance of the interview in the Notice of Allowability.

☒ It is not necessary for applicant to provide a separate record of the substance of the interview, since the interview did not result in resolution of all issues. A brief summary by the examiner appears in Part II above.

  

/Maury Audet/  
 Primary Examiner, Art Unit 1654

(Applicant/Applicant's Representative Signature – if appropriate)